

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

GERALDINE SUE SAFFLE,

Plaintiff,

v.

KROGER LIMITED PARTNERSHIP I,  
and  
THE KROGER CO.,

Defendants.

Civil Action No.: 7:20cv00722

## NOTICE OF REMOVAL

The Defendants, Kroger Limited Partnership I and The Kroger Co., by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, file this Notice of Removal to remove this action to this Court from the Circuit Court for Montgomery County, Virginia. In support of this Notice, the defendants state as follows:

1. Upon information and belief, plaintiff is, and was at all times relevant hereto, a resident, citizen and domiciliary of the Commonwealth of Virginia.
2. At the time this action was commenced and at the time of removal, Kroger Limited Partnership I was an Ohio limited partnership with its principal place of business in Ohio. The 1% general partner is KRGP, Inc., an Ohio corporation with its principal place of business in Ohio. The 99% limited partner is The Kroger Co., an Ohio corporation with its principal place of business in Ohio.
3. The plaintiff filed a Complaint against the defendants in the Circuit Court for Montgomery County, Virginia. A copy of the plaintiff's Complaint is attached hereto as **Exhibit A**, pursuant to 28 U.S.C. § 1446.

4. This civil action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and the amount in controversy alleged in the Complaint exceeds Seventy-five Thousand Dollars (\$75,000.00) exclusive of interest and costs, and the action is between citizens of different states.

5. The defendants have given notice of the filing of the Notice of Removal to counsel for the plaintiff and has filed a copy with the Clerk of the Circuit Court for Montgomery County, Virginia.

WHEREFORE, Kroger Limited Partnership I and The Kroger Co., by counsel, hereby give notice to this action and is removed to this Court from the Circuit Court for Montgomery County, Virginia.

KROGER LIMITED PARTNERSHIP I and  
THE KROGER CO.

/s/ C. Kailani Memmer  
Of Counsel

C. Kailani Memmer (VSB No. 34673)  
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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1st day of December, 2020, I electronically filed the foregoing Notice of Removal with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

D. Stephen Haga, Jr. (VSB No. 19125)  
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*Counsel for Plaintiff*

/s/ C. Kailani Memmer  
Of Counsel